



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. 13064US02)

In the Application of: )

Joseph S. Bowers, Jr. et al. )

Confirmation No. 6586 )

Serial No. 10/634,618 )

Filed: 8/05/2003 )

For: "Methods To Stabilize A Viscosity-Unstable )  
Aqueous Dispersion Of Carbon" )

Examiner: Timothy J. Kugel )

Group Art Unit: 1712 )



**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 27, 2005.

By: \_\_\_\_\_

David Z. Petty  
Reg. No. 52,119

**TERMINAL DISCLAIMER OF PATENT APPLICATION (37 C.F.R. 1.321(c))**  
(signed by attorney of record)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**BACKGROUND**

Electrochemicals Inc. owns all rights in U.S. Patent No. 6,623,787 and in the present patent application.

The undersigned is an attorney of record in the prosecution of the present application, and is authorized by Electrochemicals Inc. to sign this disclaimer on behalf of Electrochemicals Inc.

U.S. Patent No. 6,623,787 does not claim the priority of any previous United States Patent Application. The application for U.S. Patent No. 6,623,787 was filed on July 26, 2001. The expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent No. 6,623,787, under the current law and the facts as the undersigned

knows them, is therefore understood to be twenty years after its filing date -- July 26, 2001. U.S Patent No. 6,623,787 is not presently subject to any terminal disclaimers. Any needed correction of the foregoing calculations or recited facts or change in the full statutory term defined in 35 U.S.C. Sections 154 to 156 and 173 of U.S. Patent No. 6,623,787 shall be taken into account in determining the effect of the following disclaimer.

### **DISCLAIMER**

Electrochemicals Inc. hereby disclaims any terminal part of the statutory term of the patent issuing from this application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent No. 6,623,787, as presently shortened by any terminal disclaimer, except as provided below.

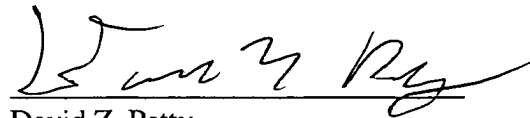
Electrochemicals Inc. hereby agrees that the present application shall be enforceable only during such period or periods that the present application and the resulting patent is commonly owned with U. S. Patent No. 6,623,787. This disclaimer shall run with the present application and any patent issuing from this application, and shall be binding upon Electrochemicals Inc. and its successors or assigns.

This terminal disclaimer shall not shorten the term of any patent issuing from the present application to less than the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent No. 6,623,787 as presently shortened by any terminal disclaimer, even if U.S. Patent No. 6,623,787 later: expires for failure to pay a maintenance fee; is held unenforceable or is found invalid by a court or administrative agency or other entity; is statutorily or terminally disclaimed under 37 C.F.R. § 1.321; has any or all claims cancelled or amended by a reexamination certificate, reissue, or other proceeding; or is terminated in any manner prior to the expiration of its full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173 as presently shortened by any terminal disclaimer.

### **FEE PAYMENT**

The Commissioner is authorized to charge \$130.00 for a large entity and any other necessary fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Date: December 27, 2005

A handwritten signature in dark ink, appearing to read "David Z. Petty", written over a horizontal line.

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